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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,527	09/03/2004	Yuichi Kanai	041465-5243	1091
55694	7590	06/30/2008		
DRINKER BIDDLE & REATH (DC)			EXAMINER	
1500 K STREET, N.W.			ADEGEYE, OLUWASEUN	
SUITE 1100				
WASHINGTON, DC 20005-1209			ART UNIT	PAPER NUMBER
			2621	
			MAIL DATE	DELIVERY MODE
			06/30/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/506,527	KANAI ET AL.	
	<b>Examiner</b>	Art Unit OLUWASEUN A. ADEGEYE	2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 09/03/2004.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1 - 11 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1 - 11 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 09/03/2004 is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/0256/06)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Information Disclosure Statement***

2. The references listed on the information disclosure statement filed on 09/03/2004 have been considered by the examiner (see attached PTO – 1449).

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 – 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Hisamatsu et al (US 2002/0003815 A1).

As to **claim 1**, Hisamatsu discloses an information recording apparatus (130) for recording broadcasting information on a recording medium (133), the broadcasting information includes one or more contents, types of the contents are different from each other, and is constituted of unit information which has a predetermined amount of information (MPEG TS) (see fig. 10, [0111]) and correlation information (network identification descriptor, partial-transport stream time descriptor, broadcasting ID

descriptor) (see [140]) which indicates a correlation between the contents, the apparatus comprising:

    a generating device (134) (see [107] and [126]) for generating contents group information based on the correlation information, the contents group information including identification information (PID) for identifying a relationship between the unit information and the content and type information indicating a type of the content, the contents group information indicating a contents group including the contents (see [126], [137], [140] and [161]), and

    a recording device (130) for recording the generated contents group information on the recording medium (133) with the broadcasting information (see [159]).

As to **claim 2**, Hisamatsu discloses the information recording apparatus according to claim 1, wherein the broadcasting information is broadcasted by BS digital broadcasting (see [002], [033], [056] and fig. 1) and the correlation information is a descriptor broadcasted by BS digital broadcasting (network identification descriptor, partial-transport stream time descriptor, broadcasting ID descriptor) (see [140]).

As to **claim 3**, Hisamatsu discloses an information reproducing apparatus for reproducing the broadcasting information from the recording medium on which the contents group information is recorded with the broadcasting information by the information recording apparatus of claim 1 or 2, the reproducing apparatus comprising:

    a selecting device (125, 425) which selects a content to be reproduced before the broadcasting information is reproduced (see [124] – [126] and [159] – [161]), and

a generating device (134) (see [107], [126] and [161]) which generates a display signal for displaying contents of the contents group information corresponding to the contents group including the selected content.

As to **claims 4 – 6**, these are method claims corresponding to the apparatus claims 1 - 3. Therefore, claims 4 - 6 are analyzed and rejected as previously discussed with respect to claims 1 – 3.

As to **claims 7 – 9**, these are computer program claims corresponding to the apparatus claims 1 - 3. Therefore, claims 4 - 6 are analyzed and rejected as previously discussed with respect to claims 1 – 3. Paragraph 66 and 76 discloses software.

As to **claim 10**, Hisamatsu discloses an information recording medium, wherein the information recording program of claim 7 or 8 is recorded so as to be read by a recording computer (see [066] and [076]).

As to **claim 11**, Hisamatsu discloses an information recording medium, wherein the information reproducing program according to claim 9 is recorded so as to be read by a reproducing computer (see [066] and [076]).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2002/0194603 A1 discloses a broadcast system.

***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUWASEUN A. ADEGEYE whose telephone number is (571)270-1711. The examiner can normally be reached on Monday - Friday 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

06/23/2008  
/Marsha D. Banks-Harold/  
Supervisory Patent Examiner, Art Unit 2621  
/O.A/

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